

## **LISTING OF THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) An instant beverage powder comprising  $\geq 90\%$  by weight, based on the total amount, of isomaltulose as carrier,  $\leq 5\%$  by weight, based on the total amount, of water, 0.1% by weight to 5% by weight, based on the total amount, of at least one of a plant extract of plants and/or of and plant parts and 0.1% by weight to 5% by weight, based on the total amount, of urea or a derivative thereof as buffering additive.
2. (Original) The instant beverage powder as claimed in claim 1, where the extract is an extract of plant parts of the tea shrub.
3. (Previously Presented) The instant beverage powder as claimed in claim 1, where the extract is an extract of black tea.
4. (Previously Presented) The instant beverage powder as claimed in claim 1, where the instant beverage powder is an instant black tea powder.
5. (Previously Presented) The instant beverage powder as claimed in claim 1, where the extract is an extract of Oolong tea.
6. (Original) The instant beverage powder as claimed in claim 5, where the instant beverage powder is an instant Oolong tea powder.
7. (Previously Presented) The instant beverage powder as claimed in claim 1, where the extract is an extract of green tea.
8. (Original) The instant beverage powder as claimed in claim 7, where the instant beverage powder is an instant green tea powder.

9. (Previously Presented) The instant beverage powder as claimed in claim 1, where the extract additionally comprises natural or nature-identical aroma substances and/or taste substances.
10. (Currently Amended) The instant beverage powder as claimed in claim 1, where the extract is isolated from a tea to which, for aromatization, at least one of flavoring fruit juices, aroma-giving and[[/or]] taste-giving plants or plant parts, and [[or]] flavoring potable spirits ~~such as whisky, arrack or rum~~ have been added.
11. (Previously Presented) The instant beverage powder as claimed in claim 9, where the instant beverage powder is an aromatized instant black tea powder, instant green tea powder or instant Oolong tea powder.
12. (Withdrawn) The instant beverage powder as claimed in claim 1, where the extract is isolated from plants or plant parts which do not come from the tea bush.
13. (Withdrawn) The instant beverage powder as claimed in claim 12, where the extract is isolated from aniseed, valerian root, stinging nettles, blackberry leaves, strawberry leaves, fennel, lady's mantel, silver weed, ginseng, rosehip, bilberry leaves, hibiscus blossoms, raspberry leaves, elder, hops, ginger, blackcurrant leaves, St. John's wort, chamomile, coriander, spearmint, Lapacho plant, lavender, lemon grass, linden blossoms, dandelion, marjoram, mallow, field eryngo, mate plant, lemon balm, mistletoe, peppermint, peony, marigold, rosemary, Rooibos, yarrow, plantain, thyme, verbena, hawthorn, hyssop, cinnamon and/or from parts thereof.
14. (Withdrawn) The instant beverage powder as claimed in claim 13, where the instant beverage powder is an instant herbal tea powder.
15. (Withdrawn) The instant beverage powder as claimed in claim 13, where the extract additionally comprises natural or nature-identical aroma substances or taste substances.

16. (Withdrawn) The instant beverage powder as claimed in claim 13, where the extract is isolated from plants or plant parts to which, for aromatization, flavoring fruit juices have been added.
17. (Withdrawn) The instant beverage powder as claimed in claim 15, where the instant beverage powder is an aromatized instant herbal tea powder.
18. (Withdrawn) The instant beverage powder as claimed in claim 1, where the instant beverage powder comprises an extract isolated from fruits.
19. (Withdrawn) The instant beverage powder as claimed in claim 18, where the extract is isolated from apples, pineapples, pears, oranges, grapefruit, limes, passion fruits, peaches, sea buckthorn berries and/or lemons.
20. (Withdrawn) The instant beverage powder comprising  $\geq 90\%$  by weight, based on the total amount, of isomaltulose as carrier,  $\leq 5\%$  by weight, based on the total amount, of water,  $0.1\%$  by weight to  $5\%$  by weight, based on the total amount, of natural or nature-identical fruit flavorings and  $0.1\%$  by weight to  $5\%$  by weight, based on the total amount, of urea or a derivative thereof as buffering additive.
21. (Withdrawn) The instant beverage powder as claimed in claim 18, where the instant beverage powder is an instant fruit tea powder.
22. (Previously Presented) The instant beverage powder as claimed in claim 1, where the instant beverage powder comprises flow promoters.
23. (Original) The instant beverage powder as claimed in claim 22, where the flow promoter is silicon dioxide.
24. (Previously Presented) The instant beverage powder as claimed in claim 1, where the instant beverage powder comprises natural and/or synthetic colorings.

25. (Original) The instant beverage powder as claimed in claim 24, where the natural colorings are selected from the group consisting of a coloring of plant origin, a coloring of animal origin, an inorganic pigment, a product of enzymatic browning, a product of non-enzymatic browning and a carbohydrate heating product.
26. (Original) The instant beverage powder as claimed in claim 24, where the synthetic colorings are selected from the group consisting of an azo compound, a triphenylmethane compound, an indigoid compound, a xanthene compound and a quinoline compound.
27. (Previously Presented) The instant beverage powder as claimed in claim 1, where the instant beverage powder comprises natural or synthetic vitamins.
28. (Original) The instant beverage powder as claimed in claim 27, where the vitamins are selected from the group consisting of vitamin A, vitamin B<sub>1</sub>, vitamin B<sub>2</sub>, vitamin B<sub>3</sub>, vitamin B<sub>5</sub>, vitamin B<sub>6</sub>, vitamin B<sub>12</sub>, vitamin B complex, vitamin C, vitamin D, vitamin E, vitamin F and vitamin K.
29. (Previously Presented) The instant beverage powder as claimed in claim 1, where the instant beverage powder comprises minerals and trace elements.
30. (Previously Presented) The instant beverage powder as claimed in claim 1, where the instant beverage powder comprises at least one intense sweetener.
31. (Original) The instant beverage powder as claimed in claim 30, where the intense sweetener is selected from the group consisting of saccharin, saccharin Na, saccharin K, saccharin Ca, sodium cyclamate, calcium cyclamate, acesulfame K, aspartame, dulcine, stevioside and neohesperidine dihydrochalcone.

32. (Currently Amended) A method ~~The use of urea or of a derivative thereof as buffering additive~~ for producing isomaltulose-containing instant beverage powders which comprise, as a first component,  $\geq 90\%$  by weight, based on the total amount, of isomaltulose as carrier, as a second component,  $\leq 5\%$  by weight, based on the total amount, of water and, as a third component, either  $0.1\%$  by weight to  $5\%$  by weight, based on the total amount, of at least one of a plant extract of plants and/or of and plant parts or, alternatively,  $0.1\%$  by weight to  $5\%$  by weight, based on the total amount, of natural or nature-identical fruit flavors, wherein the method further comprises the addition of urea or a derivative thereof to the beverage powder as a buffering additive.
33. (Currently Amended) The method ~~[[use]]~~ as claimed in claim 32, where urea or the derivative thereof, on consumption of a beverage ~~the beverages~~ produced using the isomaltulose-containing instant beverage powders, prevents a lowering of the pH in the oral cavity to the acidic range.
34. (Currently Amended) The method ~~[[use]]~~ as claimed in claim 32, wherein the urea or the derivative thereof reinforces the sweetening power of isomaltulose.